

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) JOHNY D. CRABTREE,)
)
Plaintiff,)
)
v.)
) Case No. 17-CV-314-GKF-MJX
(2) JAN X-RAY SERVICES, INC.,)
A foreign for profit company,) (Case No. CJ-2017-01782, District Court
(3) ONEOK, INC., a domestic for profit) of Tulsa County, State of Oklahoma,
Company,) Judge Morrissey)
)
Defendants.)

JOINT NOTICE OF REMOVAL

Defendants Jan X-Ray Services, Inc. and ONEOK, INC., pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, hereby remove this action from the District Court of Tulsa County to the United States District Court for the Northern District of Oklahoma. As the grounds for removal, the Defendants state as follows:

1. On May 8, 2017, Plaintiff filed a Petition in the District Court of Tulsa County, State of Oklahoma, against the Defendants. The case was assigned No. CJ-2017-01782.
2. Civil summonses and copies of the Petition were served upon the Defendants on May 15, 2017, via certified mail. True and correct copies of service received are attached hereto as Exhibits 1 and 2.
3. Defendants have not yet filed responsive pleadings in the District Court of Tulsa County. By filing this Joint Notice of Removal, Defendants do not waive any defense or counterclaim that may be available to the Defendants.
4. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331. The Petition alleges civil actions arising under the Constitution, laws or treaties of the United States, specifically the Age Discrimination in Employment Act, 29 U.S.C. §§ 621 *et seq.*

5. Removal of this action from the District Court of Tulsa County, State of Oklahoma, to this Court is therefore proper under 28 U.S.C. § 1441, because this Court would have had original jurisdiction of the action under 28 U.S.C. § 1331 had the action been initially filed in this Court.

6. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b).

7. Written notice of filing of this Notice of Removal will be given to Plaintiff, by and through his counsel of record. A copy of this Notice will be filed with the Clerk of the District Court of Tulsa County, State of Oklahoma.

8. Pursuant to 28 U.S.C. § 1446(a) and LCvR 81.2, all documents filed or served in the state-court action, along with a copy of the docket sheet, are attached as Exhibit 1.

9. Defendants will file a Status Report on the Removed Action in accordance with LCvR 81.2.

WHEREFORE Defendants respectfully request that the above referenced action now pending in the District Court of Tulsa County, State of Oklahoma, be removed therefrom and proceed in this Court as an action duly removed from this day forward.

Respectfully submitted,

/s/ Courtney Bru

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and

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Attorney for Defendant Jan X-Ray Services, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2017, a true and correct copy of the foregoing was delivered via ECF System for filing as well as First Class Mail to the following:

Daniel E. Smolen
Lauren G. Lambright

/s/ Courtney Bru

Courtney Bru